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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,756	10/20/2003	Shogo Hamasaki	2003_1430A	9589
513 7590 05/21/2007 WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021			EXAMINER CHOW, CHARLES CHIANG	
			ART UNIT 2618	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/687,756

Applicant(s)

HAMASAKI ET AL.

Examiner

Charles Chow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17, 19-21 is/are rejected.
- 7) ☒ Claim(s) 18 and 22-24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

fDetailed Action

1. This office action is for the amendment received on 8/3/2006.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 5-6, 9-10, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin (US 2003/0025,611 A1) in view of Yang (US 6,297,808 B1).

For claim 1, Lin teaches a mobile information terminal [transceiver device TD 112, Fig. 2/ Fig. 5, displaying turn right on LCD, Fig. 9] comprising

a case [housing 124] being approximately palm-sized [the TD 112/130 is of palm size in Fig. 9];

a display device having a screen [liquid crystal display LCD 120 has the screen], the display device being stored in said case such that the screen exposes to outside of said case [Fig. 2, the LCD 120 is in the housing 124, paragraph 0038; having screen exposed to outside for displaying text to user, paragraph 0046-0047; Note: in below, Nakao also teaches the portable screen display stored in a case, Fig. 16A, col. 15, lines 24-40];

an electronic circuit operable to control said display device [the transceiver circuitry in Fig. 5 which provides the scroll up/down control of the text message displayed on LCD 120, paragraph 0046]; and

wherein said electronic circuit is stored in said case [the components, electronic circuit, are located inside a common housing 124, paragraph 0038], and

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Lin fails to teach a hooking portion that is provided in an outward-protruding portion of said case, and wherein said hooking portion is formed such that a finger can be inserted into an inside of said hooking portion.

Yang teaches the above features [a hand controller with case 1 in Fig. 1-4, Fig. 9-11 & Fig. 17-18, the case body 1 is traverse penetrated with one or more hooking portion, finger holding hole 11, which is the outward protruding portion of the case body 1 in col. 2, lines 24-50], for conveniently holding a small hand held device via finger hole [col. 1, lines 127-36]. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Lin with Yang's finger hole for conveniently holding a device in hand.

For claim 5, Lin fails to teach the wherein said hooking portion is formed by a part of said case. Yang teaches the said hooking portion [11] is formed by a part of said case [case 1, Fig. 1], using the same reason in claim 1 above to combine with Lin.

For claim 6, Lin teaches a palm mobile information terminal transceiver with LCD to display text message. Yang teaches the wherein said hooking portion has a shape of a ring protruding toward outside from case [the finger ring hole 11 is protruding outwards from case 1], using the same reason in claim 1 above to combine with Lin.

For claim 9, Lin fails to mention the size of the key ring 126 for the insertion of one finger. Yang teaches the wherein said hooking portion [11] is shaped such that one finger can be inserted into said hooking portion [one finger hole 11, Fig. 1], using the same reason in claim 1 to combine with Lin.

For claim 10, Lin teaches a mobile information terminal transceiver with LCD to display text message. Yang teaches the wherein said hooking portion is shaped such that a plurality

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of fingers can be inserted into said hooking portion [the more than one finger holding hole 11 in Fig. 9, abstract], using the same reason in claim 1 above to combine with Lin.

For claim 13, Lin fail to teach the a button poriton portion operable to input informaiton into said electronic circuit [the button portion, one of the keypad lock, unlock, trunk & scroll up/down, is to input information into said electronic circuit, paragraph 0042-0046 & transmit button 128], wherein said button portion is arranged at a corner portion of said case [the transmit button 128 in Fig. 2 is at the corner of case 124].

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lin in view of Yang, as applied to claim 1 above, and further in view of Rosebrugh et al. (US 5,630,168).

For claim 2, Lin teaches a mobile information terminal transceiver with LCD to display text message. Lin & Yang fail to teach the wherein said case is formed in tabular.

Rosebrugh et al. (Rosebrugh) teaches the portable palm data acquisition device, having substantially planar top, bottom, surfaces of the housing, with a video screen display [abstract, col. 2, lines 24-53, Fig. 1], for a small, thin, light weight portable device, easily carried in user's hand [col. 2, lines 12-33]. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to reduce the size & weight of Lin's transceiver, as modified by Yang, with Rosebrugh's thin flat housing of light weight in order to be easily carried in user's hand.

4. Claims 3, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin in view of Yang, as applied to claim 1 above, and further in view of Nakao (US 6,352,322 B1).

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For claim 3, Lin teaches a mobile information terminal transceiver with LCD to display text message. Lin & Yang fail to teach the wherein said case has a face that is an opposite side of the screen, and said face swells such that said face of said case fits a palm.

Nakao teaches these features [the swollen portions 61A, 62A on the bottom of the display 52 of a portable LCD 50, will swells, just to fit the palm of the user when gripped by user's hand, col. 16, lines 3-12, Fig. 16A & 16B], in order to feel comfortably to grip the bottom side of device 50. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Lin & Yang with Nako's swollen portion, in order to feel better to grip onto the device.

For claim 21, Lin teaches the mobile transceiver 112 for displaying message on LCD 120. Lin & Yang fail to teach the wherein said display device is equipped with at least one of a touch panel function and a tablet function.

Nakao teaches these feature [a portable information device in Fig. 2A, has the display tablet for detecting the portion at which an input pen has contact the display tablet, for character information search, abstract; col. 7, lines 6-30], for a convenient dictionary information search from a portable device. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Lin's display, as modified by Johnson & Norihiko, with Nakao's display tablet touch screen, in order to convenient search the dictionary information from a portable device.

5. Claims 4, 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin in view of Yang, as applied to claim 1 above, and further in view of Gettemy (US 2004/0046,739 A1).

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For claim 4, Lin teaches a mobile information terminal transceiver with LCD to display text message. Lin & Yang fail to teach the wherein said case and said display device are able to deform.

Gettemy teaches these features [the handheld computer 200 having housing 210 & display 220 which can be twisted, deflected, as shown in the directions of arrows 340, 350 360, in Fig. 3, for the pliable sensor 230 to enter user input, paragraph 0022-0023], such that the user can easily enter their input to operate the device 200 by deflecting the device. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Lin & Yang with Gettemy's deflectable device, in order to easily enter user's input by deflecting the corner of the device.

For claim 17, Gettemy teaches said button is arranged at a corner portion of said protective frame [Fig. 3, the electronic muscle material, pliable sensor 330 is the button at corner, around the peripheral of the device, for input information, paragraph 0023; the pliable 330 is stretchable, elastomeric material, paragraph 0019-0020, as the protective frame for device], using the same reason in claim 4 for combining.

For claim 18, Gettemy teaches said button portion is arranged at both a left corner portion & right corner portion of said protective frame respectively [the protective frame, pliable sensor 330, is around the both left & right corner of the device in Fig. 3, acting as input button at both corners], using the same reason in claim 4 for combining.

- 6 Claims 7-8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lin in view of Yang, as applied to claim 1 above, and further view of Johnson et al. (US 2004/0203,501 A1).

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For claim 7, Lin & Yang fails to teach the said hook portion has a shape of a hook.

Johnson et al. (Johnson) teaches the wherein said hooking portion has a shape of a hook protruding toward outside from said case [the carabiner latch 23 which is the hooking portion formed by the outward protruding of the housing 33, of a mobile telephone 10, paragraph 0025-0028, abstract, Fig. 1], in order to conveniently hook the device for quick & easy access, instead of search a device buried inside a hand bag [paragraph 0002-0003, 0015]. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Lin & Yang with Johnson's carabiner hook, for a quick, convenient, access of a device to use.

For claim 8, Lin fails to teach the shape of a carabiner.

Johnson teaches the wherein said hooking portion has a shape of a carabiner [the carabiner latch 23 in Fig. 1, paragraph 0018, 0025], using the same reason in claim 7 to combine with Lin & Yang.

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lin in view of Yang, as applied to claim 1 above, and further in view of Pahlavan (US 2003/0142,065 A1).

For claim 11, Lin & Yang fail to teach the button portion is arranged along said hooking portion, although Yang has a switch 12 on top of the hook portion.

Pahlavan teaches a button portion operable to input information into said electronic circuit wherein said button portion is arranged along said hooking portion [a button portion having button 1 to button 3 for entering input information to electronic circuit. The buttons 1-3 are arranged on the hook portion of the ring as shown in Fig. 1, paragraph 0026-0027, 0001], for conveniently enter the information via the switch on finger ring. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to

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upgrade Lin & Yang with Pahlavan's buttons on finger ring, in order to conveniently enter the information via the switch on finger ring.

8. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lin in view of Yang, as applied to claim 1 above, and further in view of Foote (US 6,164,853).

For claim 12, Lin & Yang do not mention any thing about the location of the button which is corresponding to the fingers.

Foote teaches the wherein said button portion is located so as to correspond to at least one of a plurality of fingers of a user [the key 7 is located for thumb, & other keypad in 4 are located linearly in horizontal direction with respect to user's fingers in Fig. 2-3, col. 3, lines 1-

20; keys are placed in rows close to finger in abstract], for easily operate the device with one hand while holding the device in palm [abstract]. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Lin, Yang with Foote corresponding location of key 7 for thumb, in order to conveniently operate the key close to thumb.

9. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin in view of Yang, as applied to claim 1 above, and further in view of Atsuhiro (JP 11-274,747).

For claim 14, Lin teaches the mobile transceiver 112 for displaying message on LCD 120. Lin & Yang fail to teach the surrounding protective frame.

Atsuhiro teaches wherein said case comprises a protective frame surrounding an edge portion of said case [the portable electronic equipment, small personal digital assistant PDA, paragraph 0001, which has a finger rest edge 11, 12 & lobes 13, 14, the protective

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frame, are made of spring material, rubber or elastomer, paragraph 0038-0044, Fig. 2, Fig. 4 in marked page 10, page 12 & (57)Abstract], for reducing the force acted upon the PDA, to protect the PDA with the rubber. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to improve Lin & Yang with Atsuhiro's rubber protective edge 11-14, in order to protect the device from damage.

For claim 15, Yang teaches the wherein said hooking portion protrudes toward outside from said protective case [the hooking portion, finger holding hole is protruding away from 12, 13, toward outside, from the protective case 1, as shown in Fig. 1], & Atsuhiro teaches the protective frame in claim 14; using the same reason above in claims 1, 14 for combining.

For claim 16, Atsuhiro teaches the wherein said protective frame is made up of elastic material [the rubber, elastomer, for protective edge frame, finger rest 11-12 & lobe, paragraph 0038-0044, Fig. 2, Fig. 4 in marked page 10, page 12 & (57)Abstract], using the same reason in claim 14 to combine Atsuhiro to Lin & Yang.

10. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lin in view of Yang, as applied to claim 1 above, and further in view of Perona (US 5,181,009).

For claim 19, Lin fails to teach said hooking portion comprising a lighting emitting portion to notify a user of a state. Yang teaches 14 can be indicating light [col. 2, lines 36-50] but does not mention any thing further for notifying status.

Perona teaches the hooking portion comprising a lighting emitting portion to notify a user of a state [the band 24 is included into the indicator ring 10 for wearing on finger, to indicate, the status, & to keep track of the scores & time of the sport event, abstract, Fig. 1-5, col. 1, 5-10], in order to easily keep track of score of a football game score with a ring in hand [col. 1, lines 5-10]. Therefore, It would have been obvious to one of ordinary skill in the

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art at the time the invention was made to improve Lin & Yang with Perona's ring hook for indicating score & time, in order to easily keep track of the score of a football game with a ring in hand.

11. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lin in view of Yang, as applied to claim 1 above, and further in view of Ball et al. (US 5,610,386).

For claim 20, Lin teaches the mobile transceiver 112 for displaying message on LCD 120. Lin & Yang fail to teach the hooking portion comprising at least one of an electronic tag reader and a writer.

Ball et al. (Ball) teaches the wherein said hooking portion comprises at least one of an electronic tag reader [the hook portion 12, 62 comprising the optical scanner 20, col. 3, line 50 to col. 4, line 11 & col. 5, lines 17-21; bar code reader in col. 1, lines 27-38], for a convenient optical scanner to be immediately available from finger ring. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made, to upgrade Lin & Yang with Ball's optical scanner on the ring, such that the optical scanner could be immediately available from user's hand.

Claims Objection

12. Claims 18, 22-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The cited prior arts fails to teach the features in claim 18, 22-24, for the mobile portable terminal having a hooking portion provided in an outward protruding portion of said case having the protective frame, with button portions arranged at both a left, right, corner portion of said protective frame [claim 18].

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The prior arts fail to teach the multiple features in combination for the mobile information terminal, having the display screen, the swollen portion of the rear surface to fit the palm, the hooking portion with plural fingers inserted into said hooking portion, to operate plural button portions [claim 22-24].

Response to Argument

13. Applicant's arguments filed 8/6/2006 have been fully considered but they are not persuasive.

Regarding applicant argument for the no teachings that Lin-'611A1 fails to teach the a hooking portion that is provided in an outward protruding portion of the case [pages 9-10 of applicant's amendment, 8/6/2006],

Lin-'611A1 does teach the protruding portion which is formed at the base of the hook-ring 126 for finger as shown in Fig. 2, for a device of palm size operated by single hand while driving a vehicle [Fig. 9]. In applicant's claim 1, the protruding portion, "hooking portion that is provided in an outward-protruding portion of said base", which is not defined clearly enough to exclude the hook-ring 126 in the outward protruding portion, from the base of 126, for a single hand to operate the buttons 114-118 while driving a vehicle.

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

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advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Chow whose telephone number is (571) 272-7889. The examiner can normally be reached on 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles Chow *cc*.

May 4, 2007.


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